

1           **CROSNER LEGAL, P.C.**

2           Michael R. Crosner (SBN 41299)  
3           Zachary M. Crosner (SBN 272295)  
4           Chad A. Saunders (SBN 257810)  
5           Craig W. Straub (SBN 249032)  
6           9440 Santa Monica Blvd. Suite 301  
7           Beverly Hills, CA 90210  
8           Tel: (310) 496-5818  
9           Fax: (310) 510-6429  
10          mike@crosnerlegal.com  
11          zach@crosnerlegal.com  
12          chad@crosnerlegal.com  
13          craig@crosnerlegal.com

14         **REESE LLP**

15          Michael R. Reese (SBN 206773)  
16          100 West 93rd Street, 16th Floor  
17          New York, New York 10025  
18          Telephone: (212) 643-0500  
19          Facsimile: (212) 253-4272  
20          mreese@reesellp.com

21         **REESE LLP**

22          George V. Granade (SBN 316050)  
23          8484 Wilshire Boulevard, Suite 515  
24          Los Angeles, California 90211  
25          Telephone: (310) 393-0070  
26          Facsimile: (212) 253-4272  
27          ggranade@reesellp.com

28         Attorneys for Plaintiff Mark Gonzalez  
and the Proposed Class

ISABELLE L. ORD (Bar No. 198224)

isabelle.ord@us.dlapiper.com

TIA Q. NGUYEN (Bar No. 338778)

tia.nguyen@us.dlapiper.com

**DLA PIPER LLP (US)**

555 Mission Street, Suite 2400  
San Francisco, CA 94105-2933  
Tel: 415.836.2500  
Fax: 415.836.2501

KEARA M. GORDON (*pro hac vice*)

keara.gordon@us.dlapiper.com

HALEY D. TORREY (*pro hac vice*)

haley.torrey@us.dlapiper.com

**DLA PIPER LLP (US)**

1251 Avenue of the Americas, 27th Floor  
New York, NY 10020-1104  
Tel: 212.335.4632  
Fax: 212.884.8632

Attorneys for Defendant Chattem, Inc.

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND DIVISION

MARK GONZALEZ, individually and on  
behalf of all others similarly situated,

Plaintiff,

v.

CHATTEM, INC., SANOFI-AVENTIS U.S.  
LLC, and SANOFI US SERVICES INC.,

Defendants.

CASE NO. 4:23-cv-00102-HSG

**STIPULATION AND ORDER TO  
EXTEND TIME TO RESPOND TO  
THE COMPLAINT; SUPPORTING  
DECLARATION OF KEARA  
GORDON**

STIPULATION AND ORDER TO EXTEND TIME TO RESPOND TO THE COMPLAINT  
CASE NO. 4:23-CV-00102-HSG

1 Pursuant to Federal Rule of Civil Procedure 6 and Civil Local Rule 6-2, Plaintiff Mark  
 2 Gonzalez (“Gonzalez”) and Defendant Chattem, Inc. (“Chattem”) (together, the “Parties”), by and  
 3 through their respective counsel, hereby stipulate and agree to the following:

4 WHEREAS, Gonzalez filed the Class Action Complaint (the “Complaint”) on January 9,  
 5 2023, *see* ECF No. 1, and served a copy of the Complaint on Chattem on January 24, 2023;

6 WHEREAS, on February 8, 2023, the Court issued an order granting in part and denying in  
 7 part the Parties’ Stipulation to Extend Time to Respond to the Complaint, ECF No. 25 (the “Order”),  
 8 which set the following briefing schedule for Chattem’s anticipated motion to dismiss:

9	Chattem’s Motion to Dismiss:	March 6, 2023
10	Gonzalez’s Opposition:	April 12, 2023
11	Chattem’s Reply Brief:	May 3, 2023;

12 WHEREAS, the Order also vacated the Parties’ initial case management conference  
 13 scheduled for April 18, 2023, and stated that the Court intends to hold an initial case management  
 14 conference at the same time as the motion to dismiss hearing, ECF No. 25;

15 WHEREAS, the Parties have since identified an unresolved factual issue that impacts the  
 16 arguments that Chattem may bring in its anticipated motion to dismiss and which the Parties are  
 17 currently working to resolve and, as a result, the Parties both request additional time to complete  
 18 their factual investigation before Chattem files its anticipated motion to dismiss;

19 WHEREAS, on March 2, 2023, counsel for Chattem and counsel for Gonzales met and  
 20 conferred and agreed to an additional 21 days for Chattem to answer, move, or otherwise respond  
 21 to the Complaint;

22 WHEREAS, subject to the Court’s approval, the Parties also agreed to a proposed briefing  
 23 schedule, as follows, on Chattem’s anticipated motion to dismiss:

24	Chattem’s Motion to Dismiss:	March 27, 2023
25	Gonzalez’s Opposition:	May 3, 2023
26	Chattem’s Reply Brief:	May 25, 2023;

27 WHEREAS, this is the second request for an extension of time in this action, and the Parties’  
 28

1 proposed updated briefing schedule will not affect any other currently scheduled dates previously  
2 set by the Court;

3 IT IS HEREBY STIPULATED AND AGREED, that pursuant to Federal Rule of Civil  
4 Procedure 6(b) and Civil Local Rule 6-2, that Chattem shall have an extension of time to answer,  
5 move, or otherwise respond to the Complaint and, subject to the Court's approval, the following  
6 briefing schedule shall apply to Chattem's anticipated motion to dismiss:

7 Chattem's Motion to Dismiss: March 27, 2023  
8 Gonzalez's Opposition: May 3, 2023  
9 Chattem's Reply Brief: May 25, 2023;

10 IT IS FURTHER STIPULATED AND AGREED THAT the Parties shall participate in the  
11 initial Case Management Conference at the same time as the motion to dismiss hearing.

12 IT IS SO STIPULATED.

13 Date: March 3, 2023

14 **DLA PIPER LLP (US)**

15 By: /s/ Isabelle Ord  
16 ISABELLE ORD  
17 Attorney for Defendant  
18 CHATTEM, INC.

19 **REESE LLP**

20 By: /s/ George V. Granade  
21 George V. Granade  
22 Attorney for Plaintiff MARK GONZALEZ  
23 and the Proposed Class

24 EAST\164960682.9

25 

2  
26 STIPULATION AND ORDER TO EXTEND TIME TO RESPOND TO THE COMPLAINT  
27 CASE NO. 4:23-CV-00102-HSG

28

EAST\201115079.2

1                   **ORDER**

2                   **PURSUANT TO STIPULATION, IT IS SO ORDERED.**

3 Date: 3/6/2023

4                     
5                   Honorable Haywood S. Gilliam, Jr.

6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27 EAST\164960682.9

28                   3  
STIPULATION AND ORDER TO EXTEND TIME TO RESPOND TO THE COMPLAINT  
CASE NO. 4:23-CV-00102-HSG

EAST\201115079.2